

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)	CASE NO. 8:07CR116
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
MARQUEZ DAYE,)	
)	
Defendant.)	

This matter is before the Court on the Defendant's motion to continue sentencing (Filing No. 34) because of the amendments to the U.S. Sentencing guidelines due to take effect on November 1, 2007.

The motion is denied. However, the Court advises counsel that the issue relating to the guideline amendments will be discussed at sentencing in the context of a motion for downward departure or deviation. This matter will be discussed as the Court's motion in light of paragraph 6(c) of the plea agreement.

IT IS ORDERED that the Defendant's motion to continue sentencing (Filing No. 34) is denied.

DATED this 2nd day of October, 2007.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge